104-10322-10241

JFK ACT
05-31-99
RELEASE

TRANSMITTAL SLIP	DK

TO: ER

ROOM NO.	BUILDING

REMARKS:

Please find attached revised version of the Downing letter. Also attached are the previous versions of the letter. Revised pages have been given out to individuals listed on distribution.

CIA HISTORICAL REVIEW PROGRAM
RELEASE IN FULL
1999

FROM: OLC

ROOM NO.	BUILDING	EXTENSION

FORM NO. 241 1 FEB 55 REPLACES FORM 36-8 WHICH MAY BE USED. (47)

UNCLASSIFIED ☐ USE ONLY ☐ CONFIDENTIAL ☐ SECRET

ROUTING AND RECORD SHEET

Spec Int. File #8

SUBJECT: (Optional)

76-4021/1

FROM: Office of Legislative Counsel 7D35 Hq.	EXTENSION 9010	NO. 5 Dec 76
		DATE 10 December 1976

TO: (Officer designation, room number, and building)	DATE RECEIVED	DATE FORWARDED	OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
1. DDO 7E26 Hq.				Attached is a revised letter to Chairman Downing, House Select Committee on Assassinations, concerning the moratorium on the destruction of Agency documents. The prior letter to Chairman Downing on this subject dated 23 November, was returned by the Committee as unacceptable. The main revision in the attached allows the Committee a review of the document disposition lists prior to destruction.
2.				
3. DDA (Hal Bean) 7D02				
4.				
5. OGC 7D01 Hq.				
6.				
7. IG 2E24				
8.				
9. ER				Pat Carpentier OLC
10.				
11.				
12.				
13.				
14.				
15.				

CIA HISTORICAL REVIEW PROGRAM
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1999

SECRET RECORD FILE

Spec Int File #8

FORM 3-62 610 USE PREVIOUS EDITIONS ☐ SECRET ☐ CONFIDENTIAL ☐ INTERNAL USE ONLY ☐ UNCLASSIFIED

Central Intelligence Agency

OLC 76-3580
ER # 76-4021/1

Washington, D.C. 20505

6 DEC 1976

Honorable Thomas N. Downing, Chairman
Select Committee on Assassinations
House of Representatives
Washington, D. C. 20515

CIA HISTORICAL REVIEW PROGRAM
RELEASE IN FULL
1999

Dear Mr. Chairman:

Mr. Lyle Miller, of my staff, has relayed to me the interest of your Chief Counsel, Mr. Richard Sprague, that records related to the investigation of the deaths of John F. Kennedy and Martin Luther King, Jr. not be destroyed once the "moratorium" on the destruction of Agency records is lifted. Let me assure you that there is no cause for concern.

The "moratorium" was imposed on the destruction of CIA records in 1975 during the investigation by the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities and will expire on 10 December 1976. At that time regular document destruction will begin in accordance with records control schedules approved by the Archivist of the United States and subject to review by the Senate Select Committee on Intelligence. The Agency's policy in regard to the lifting of the destruction "moratorium" and the application of records control schedules to the orderly disposition of Agency records was published in the Federal Register, a copy of which is enclosed.

It is CIA's policy to fully support investigative bodies of the Executive, Legislative, or Judicial Branch, and we will continue to do so. Once the "moratorium" is lifted, we will destroy no materials which would appear to relate to your investigations or be of interest to your Committee. Further, we will make available for your review the lists for disposition of records prepared for the Archivist at the same time these lists are submitted to the Senate Select Committee on Intelligence. Material designated for destruction in the lists will not be destroyed until your Committee notifies the Agency that it has completed its review, and has no objection. To date, 15 lists have been furnished to the Senate Select Committee and they will be made available for your review immediately.

OLC 76-3580

Central Intelligence Agency

Washington, D.C. 20505

Executive Registry
76-4021

8 DEC 1976

Honorable Thomas N. Downing, Chairman
Select Committee on Assassinations
House of Representatives
Washington, D. C. 20515

Dear Mr. Chairman:

Mr. Lyle Miller, of my staff, has relayed to me the interest of your Chief Counsel, Mr. Richard Sprague, that records related to the investigation of the deaths of John F. Kennedy and Martin Luther King, Jr. not be destroyed once the "moratorium" on the destruction of Agency records is lifted. Let me assure you that there is no cause for concern.

The "moratorium" was imposed on the destruction of CIA records in 1975 during the investigation by the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities and will expire on 10 December 1976. At that time regular document destruction will begin in accordance with records control schedules approved by the Archivist of the United States and subject to review by the Senate Select Committee on Intelligence. The Agency's policy in regard to the lifting of the destruction "moratorium" and the application of records control schedules to the orderly disposition of Agency records was published in the Federal Register, a copy of which is enclosed.

It is CIA's policy to fully support investigative bodies of the Executive, Legislative, or Judicial Branch, and we will continue to do so. Once the "moratorium" is lifted, we will destroy no materials which would appear to relate to your investigations or be of interest to your Committee. Further, we will make available for your review the lists for disposition of records prepared for the Archivist at the same time these lists are submitted to the Senate Select Committee on Intelligence. Material designated for destruction in the lists will not be destroyed until your Committee notifies the Agency that it has completed its review. To date, 13 lists have been furnished to the Senate Select Committee and they will be made available for your review immediately.

Sprague has no objection.

This letter (new version) was given to Sprague. It was subsequently revised to reflect changes above and a new one was delivered to Sprague by Mr. Carey.

I assure you that no documents which we are aware of as being related to your investigation will be destroyed.

Sincerely,

/s/ George Bush

George Bush

Enclosure

Distribution:
Orig. - Addressee w/encl.
1 - DCI w/encl. 1 - DDO w/encl.
1 - DDCI wo/encl. 1 - ER - wo/encl.
1 - OLC/Subj. w/encl. 1 - DDA (Hal Bean) w/encl.
1 - OLC/Chrono wo/encl. 1 - OGC w/encl.
OLC:PLC:dla:cra (typed 7 December 1976)

The Director
Central Intelligence Agency

Washington, D.C. 20505

Old Version

[redacted]

Returned by Sprague, Chief Counsel

23 November 1976

Honorable Thomas N. Downing, Chairman
Select Committee on Assassinations
House of Representatives
Washington, D. C. 20515

Dear Mr. Chairman:

Mr. Lyle Miller, of my staff, has relayed to me the interest of your Chief Counsel, Mr. Richard Sprague, that records of importance in the investigation of the deaths of John F. Kennedy and Martin Luther King, Jr. not be destroyed once the "moratorium" on the destruction of Agency records is lifted. Let me assure you that there is no cause for concern.

The "moratorium" was imposed on the destruction of CIA records in 1975 during the investigation by the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activities and will expire on 10 December 1976. At that time regular document destruction will begin in accordance with records control schedules approved by the Archivist of the United States and subject to review by the Senate Select Committee on Intelligence. Within the next week we will publish in the Federal Register the Agency's policy in regard to the lifting of the destruction "moratorium" and the application of records control schedules to the orderly disposition of Agency records.

It is CIA's policy to fully support investigative bodies of the Executive, Legislative, or Judicial Branch, and we will continue to do so. Once the "moratorium" is lifted, we will destroy no materials relating to on-going Freedom of Information requests, cases subject to litigation, or cases under current investigation. I assure you that no documents which we are aware of as being related to your investigation will be destroyed.

Sincerely,

George Bush